

## REMARKS

### I. Status of the Application

Claims 20, 21, 23, 24, 26-38, 39 and 40 are pending in this application. In the October 31, 2008 final office action, the Examiner:

- A. Rejected claims 20, 23, 26, 31, 34-37 and 39-40 under 35 U.S.C. §103(a) as being unpatentable over US 7,042,863 to Morris (hereinafter “Morris”) in view of US Pub 2004/0147267 to Hill et al. (hereinafter “Hill”);
- B. Rejected claims 21 and 24 under 35 U.S.C. §103(a) as being unpatentable over Morris in view of Hill and further in view of US Pub 2003/0103487 to Kim et al.;
- C. Rejected claims 27-29 and 32 under 35 U.S.C. §103(a) as being unpatentable over Morris in view of Hill and further in view of Official Notice; and
- D. Rejected claim 33 under 35 U.S.C. §103(a) as being unpatentable over Morris in view of Hill and further in view of US 7,292,588 to Milley et al.

In this response, applicants have amended claims 20 and 34 to clarify the claimed subject matter. Applicants respectfully traverse the prior art rejections of the claims and request favorable reconsideration of the application in view of the foregoing amendments and the following remarks. Applicants gratefully acknowledge the additional guidance provided in the Advisory Action. The amendments provided herein clarify language from the original claim that may have been misinterpreted.

## II. The Amendments to Claims 20 and 34

In claims 20 and 34, the language has been amended to clarify that the synchronization parameter for the second channel is representative of a phase offset between the first channel and the second channel. This limitation was present in the previously present claims 20 and 34, but may have not been clear. In particular, the limitation previously read:

... the synchronization parameter defining a phase offset for data interchange between the master subscriber and each of the first and second slave subscribers via, respectively, the first communication channel and the second communication channel.

Thus, the parameter defined a phase offset between the first communication channel and the second communication channel, but more particularly, the phase offset between communication between the master and the first slave (via the first channel) and communication between the master and the second slave (via the second channel).

The claim limitation now reads:

the synchronization parameter defining a phase offset between a first data interchange and a second data interchange, the first data interchange between the master subscriber and the first slave subscriber via the first communication channel and the second data interchange between the master subscriber and the second slave subscriber via the second communication channel.

In other words, the synchronization parameter essentially defines the phase offset between the first channel and the second channel.

## II. The Proposed Combination Does Not Arrive at the Invention of Claim 20

As will be discussed below in detail, the proposed combination of Morris and Hill does not arrive at the invention of claim 20. In particular, neither reference, either alone or in combination, teaches or suggests “determining a synchronization parameter for

synchronization of the second communication channel, the synchronization parameter defining a phase offset between a first data interchange and a second data interchange, the first data interchange between the master subscriber and the first slave subscriber via the first communication channel and the second data interchange between the master subscriber and the second slave subscriber via the second communication channel.” The Examiner has admitted that Morris fails to disclose the previous version of this claim element. (See Final Office Action at p.4).

Instead, the Examiner relies on Hill as providing the teaching of “determining a synchronization parameter for synchronization of the second communication channel, the synchronization parameter defining a phase offset for data interchange between the master subscriber and each of the first and second slave subscribers via, respectively, the first communication channel and the second communication channel”, as per claim 20 prior to this amendment. (*Id.*) As will be discussed below, however, Hill does not teach or suggest this limitation as amended herein to clarify that the phase offset is between the first channel and the second channel.

A. The Claimed Synchronization Parameter Defines a Phase Offset Between First and Second Communication Channels

The claim element in question includes “determining a synchronization parameter for synchronization of the second communication channel”, wherein “the synchronization parameter [defines] a phase offset between a first data interchange and a second data interchange”, and wherein “the first data interchange [is] between the master subscriber and the first slave subscriber via the first communication channel and the second data interchange

[is] between the master subscriber and the second slave subscriber via the second communication channel.” Thus, the synchronization parameter for the *second* communication channel (between the master and second slave subscriber) involves the phase offset between data traffic on the first communication channel and data traffic on the second communication channel. In other words, this phase offset that is the synchronization parameter of the second communication channel is *referenced against the first communication channel*. As a consequence, the synchronization parameter for the second communication channel is not merely the phase offset or clock offset the second communication channel as referenced to the clock of the master.

B. Hill Does Not Teach Determining a Synchronization Parameter for a Second Channel that in any way Defines a Phase Offset Referenced to the First Channel

The Examiner cites paragraph 27 of Hill as teaching the subject step of determining a synchronization parameter. (Final Office Action at p.4). To the extent this paragraph relates to determining a synchronization parameter, it does not teach or suggest determining a synchronization parameter for synchronizing a *second* channel that comprises a phase offset reference to a first channel, or in other words, a phase offset between the first channel and the second channel. To this end, the cited passage of paragraph 27 is set forth below:

[0027] If multiple piconets cover the same area, a unit can participate in two or more overlaying piconets by applying time multiplexing. *To participate on the proper channel, it should use the associated master device address and proper clock offset to obtain the correct phase.* A Bluetooth unit can act as a slave in several piconets, but only as a master in a single piconet.

(Hill at paragraph [0027]).

The Examiner noted in the Advisory Action that if a second slave uses the same master as a first slave unit, the second slave would have to obtain a “proper clock offset to obtain the correct phase”. However, this “proper clock offset” described in paragraph [0027] clearly is an offset with respect to a reference in the *master* device, for example, a master clock. This paragraph says nothing about a “proper clock offset” wherein the offset is referenced to *another communication channel*.

Thus, Hill fails to disclose or suggest “determining a synchronization parameter for synchronization of the second communication channel”, wherein “the synchronization parameter [defines] a phase offset between a first data interchange and a second data interchange”, and wherein “the first data interchange [is] between the master subscriber and the first slave subscriber via the first communication channel and the second data interchange [is] between the master subscriber and the second slave subscriber via the second communication channel.”

D. Conclusion as to Claim 20

For the foregoing reasons, it is respectfully submitted that neither Hill nor Morris, either alone or in combination, teach or suggest each and every element of claim 20 as amended. For at least this reason, it is respectfully submitted that the rejection of claim 20 should be withdrawn.

III. Claim 34

Claim 34 also stands rejected as being unpatentable over Morris in view of Hill.

Claim 34, similar to claim 20, recites a device that is configured "...to determine synchronization parameters for synchronization of the second communication channel", wherein "the synchronization parameters [define] a phase offset between a first data interchange and a second data interchange", and wherein "the first data interchange [is] between the master subscriber and the first slave subscriber via the first communication channel and the second data interchange [is] between the master subscriber and the second slave subscriber via the second communication channel." Therefore, the arguments presented above for the patentability of claim 20 are applicable to claim 34. Accordingly, for at least those reasons discussed above in connection with claim 20, it is respectfully submitted that the obviousness rejection of claim 34 should be withdrawn.

IV. Claims 21, 23, 24, 26-33, 35-37, 39 and 40

Claims 21, 23, 24, 26-37, 39 and 40 were rejected as allegedly being obvious over Morris and Hill and in some cases further in view of additional references. Claims 21, 23, 24, 26-37, 39 and 40 depend directly or indirectly from and incorporate all of the limitations of their respective base claims 20 and 34. Accordingly, for at least the same reasons as those set forth above in connection with claims 20 and 34, it is respectfully submitted that the rejection of claims 21, 23, 24, 26-37, 39 and 40 should be withdrawn as well.

V. Conclusion

For all of the foregoing reasons, it is respectfully submitted the applicant has made a patentable contribution to the art. Favorable reconsideration and allowance of this application is therefore respectfully requested.

In the event applicant has inadvertently overlooked the need for an extension of time or payment of an additional fee, the applicant conditionally petitions therefore, and authorizes any fee deficiency to be charged to deposit account 13-0014.

Respectfully submitted,



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